

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.: 05-CV-11117-REK

RUTH HEINE

Plaintiff

v.

PARKWAY AUTO REALISATIONS, L.L.C.,
f/k/a AUTO EUROPE, L.L.C.,
d/b/a AUTO EUROPE

Defendant

JOINT STATEMENT

NOW COME the parties in the above-entitled matter and submit their Joint Statement pursuant to Rule 16.1 of the Local Rules for the United States District Court for the District of Massachusetts:

I. DISCOVERY PLAN

A. PHASE 1: For developing information required for a realistic assessment of the case:

1. The parties will serve their automatic disclosures pursuant to Rule 26(a) on or before October 31, 2005;

2. The parties will serve initial written discovery requests, including Interrogatories and Requests for Production of Documents pursuant to Rules 33 and 34 on or before November 30, 2005;

3. The parties will serve their responses to initial written discovery requests on or before January 31, 2006;

3. The parties will complete depositions of any fact witnesses by March 31, 2006.

- B. PHASE 2: For developing information required to prepare for trial, if necessary.
1. The parties will disclose their experts to each other no later than April 30, 2006;
 2. The parties will complete depositions of experts by May 31, 2006.
 3. The parties will complete all discovery by May 31, 2006.

II. PROPOSED MOTION FILING SCHEDULE

- A. The parties will file and serve Rule 56 Motions for Summary Judgment by June 30, 2006;
- B. The parties will file and serve their oppositions to Rule 56 Motions for Summary Judgment by July 31, 2006.

III. OUTLINE OF PROPOSED PRE-TRIAL SCHEDULE

- A. The parties agree to a discovery deadline of May 31, 2006.
- B. The parties propose that the Court hold the Final Pre-Trial Conference on or before August 15, 2006;
- C. The parties propose that the Court finally dispose of this matter before September 30, 2006.

IV. CONSENT TO TRIAL BY MAGISTRATE JUDGE

The parties have conferred regarding the possibility of trial by Magistrate Judge and agree to reserve the issue for a later date

V. SETTLEMENT

The plaintiff has made a demand for settlement. Defendants have agreed to review the demand and will be prepared to respond at the Scheduling Conference. The parties agree to confer relative to the possibility of alternative dispute resolution, and have agreed to hold this issue pending the initial discovery and development of the case.

Respectfully submitted,

For the plaintiff,

For the defendant,

/s/ Sol J. Cohen

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